

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD L. BASKETT,

Plaintiff,

v.

JEAN LEE STRICKLAND,

Defendant.

Case No. C05-5543FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION &
DENYING MOTION TO
APPOINT COUNSEL

Subsequent to the entry of the Report and Recommendation, Plaintiff filed a "Brief Statement" containing some general concepts under the Americans With Disabilities Act, but nothing in that document rebuts the conclusion of the Magistrate Judge. Plaintiff also moves for appointment of counsel, which is denied, as the Court is adopting the Report and Recommendation. The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's Motion To Appoint Counsel [Dkt. # 10] is DENIED;
- (2) This action is **DISMISSED WITHOUT PREJUDICE** for the reasons outlined in the Report and Recommendation. Plaintiff may not proceed with a civil rights action if a ruling in his favor would imply his current confinement is unlawful.
- (3) Clerk is directed to send copies of this Order to counsel for plaintiff, and to the Hon. Karen L. Strombom.

DATED this 12th day of January 2006.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE